

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
NO. 7:17-CV-143

UNITED STATES OF AMERICA,)
Plaintiff)
vs.)
LOCKLEAR'S PERSONAL PROPERTY,)
SPECIFICALLY DESCRIBED AS:) CONSENT JUDGMENT WITH
A 2000 CHEVROLET SILVERADO,) FORD MOTOR CREDIT COMPANY, LLC
VIN: 2GCEK13M981236229;)
A 2016 FORD F-250 TRUCK,)
VIN: 1FT7W2BT2GED44572;)
AND ANY AND ALL ATTACHMENTS)
THEREON,)
Defendants.)

)

THIS MATTER is before the Court by consent of the United States of America, by and through the United States Attorney for the Eastern District of North Carolina, and Ford Motor Credit Company LLC ("Petitioner"), through its undersigned counsel, for final disposition of the sales proceeds received from the sale of the following property (the "Subject Property"):

One 2016 Ford F-250 truck, bearing VIN #1FT7W2BT2GED44572, registered to Brandon Darris Locklear, seized during the course of the investigation detailed in this action.

The Government and Petitioner have stipulated and agreed and the Court finds as follows:

1. That on or about November 28, 2017, the Court entered an Order releasing the Subject Property to Petitioner for interlocutory sale, with all proceeds from the sale of the Subject Property, less the reasonable necessary costs of repossession and sale, to be turned over to the United States Department of the Treasury pending further orders of this Court.

2. That Default and Default Judgment has now been entered in this matter, with respect to all interested parties except Petitioner.

3. That Petitioner has now recovered possession of the Subject Property and had it liquidated at a commercially reasonable sale by one of the national auto auctions, at which the highest bid received for the Subject Property was \$52,300.00.

4. That the total costs of repossession and sale relative to the Subject Property was \$3,163.73, leaving net sales proceeds of \$49,136.27.

5. That as of the sale date, the outstanding balance owed to the Petitioner for the Subject Property was \$26,760.09.

Based upon the above findings, it is hereby ORDERED, ADJUDGED and DECREED that:

1. The United States is authorized and directed to immediately release the sum of \$29,923.82 in sales proceeds for the Subject Property to Petitioner, in full and final satisfaction of all claims by the Petitioner to the Vehicle, in order for the recent buyer of the Subject Property to obtain clear title to same.

2. The remaining sales proceeds in the amount of \$22,376.18 is forfeited to the United States of America, and no other right, title, or interest shall exist therein. The Department of Treasury, Internal Revenue Service, is directed to dispose of the proceeds according to law.

SO ORDERED, this 27 day of March, 2018.



JAMES C. DEVER, III
UNITED STATES DISTRICT JUDGE

BY CONSENT OF THE PARTIES:

ROBERT J. HIDGON, JR.
UNITED STATES ATTORNEY

By: s/ Matthew L. Fesak
Matthew L. Fesak
Assistant United States Attorney

Date: March 27, 2018

KIRSCHBAUM, NANNEY, KEENAN & GRIFFIN, P.A.

By: s/ Pamela P. Keenan
Pamela P. Keenan
Attorneys for Ford Motor Credit Company, LLC

Date: March 27, 2018